

1887-88  
Lee Co.

Therapy Center: High School & 1000 E. Research

Therapy Center: High School & 1000 E. Research

Dist

Dist

Ch. Center Book  
To Family



To the Honorable John A. Kelly Judge  
of the Circuit Court of Lee County Va  
The bill of Complaint of Hiram  
Gobble Mary A. Gobble his wife, and Martha  
J. McCracken, formerly Martha J. Doe, who  
Humbly complaining respectfully repre-  
sents, that your complainants, and one  
John E. Rasnick are the joint owners of a  
certain tract or parcel of land in this  
County, containing about 200 acres, and  
properly described in a deed made and  
executed by Jacob Rasnick, now deceased,  
on the 24<sup>th</sup> day of October 1878, and now  
of record in the Clerk's office of said  
County a copy of which will be found  
herewith filed marked "A" By an in-  
spection of which it will be seen  
certain lands, were conveyed to your  
female complainants, and John E.  
Rasnick, subject to the life estate of  
Elizabeth Rasnick, the widow of the said  
Jacob. Elizabeth Rasnick has since  
that time conveyed to your complainants  
Mary Gobble her life interest in her part  
so that she now holds the fee simple  
of her interest. It will be further  
seen that said conveyance, set out the  
portion John Rasnick is to have



ing: "fort acres of land off of the West  
end joining his (John's) land running par-  
allel with the west line" "The balance of  
the land (about 160 acres) to be divided  
between "Your female Complainant, "Mortua  
J. Doe, and Mary a Gobbler, Mary to have her  
portion where she now (then) lives," &c. These  
lands have never been partitioned  
among those entitled thereto, but remain  
as at the time of said conveyance. John E.  
Rasnick has endeavored to partition them  
himself and claiming the right to do so,  
and your Complainant fail to agree  
with him in a division thereof - Because  
he has the affrontery to claim where your  
female Complainant Mary Gobbler and  
her husband reside, and where they  
have built a comfortable dwelling  
house planted an orchard and made  
other valuable improvements, and to which  
he never objected or till recently pre-  
tended to claim. The "west line"  
spoken of in said deed, is a line  
on the west side of the late Jacob  
Rasnick's land, and the line between  
him and his said son John and has  
been for 20 years or more, is well  
marked and easily found. Your Com-



plamants allege that there is more than 40 acres on the said tract adjoining to said West line if laid off parallel therewith without in the slightest interfering with your complainants house or improvements, but even if there were not, that they having been specifically decreed that place they are advised they are entitled to hold the house & lot being so decreed to them.

The object of this bill therefore is to have said lands partitioned among those entitled thereto according to the true intent and meaning of said deed, so that the House & lot be assigned your personal Complainant Mary A. Gobble.

The premises considered therefore they pray that John E. Rasnick be made a party defendant to this bill and answer its allegations upon oath; and that he specifically answer and say if he does not know where the west line is and that the same runs to the top of Wallens Ridge, and that a parallel line therewith will give him his due quantity without any interference with your Complainants and for all after further and general relief. May your issue &c

A. L. Pardimore @2.



L.P.

Airam Gobblehog

vs Bill Chy.

John E. Rasmick

Exhibit

1882 Febry 25. Bill Filed  
 " Mar. Apr. May & June  
 " July & Aug. Contd.  
 " Aug. Cause set for hearing  
 " Nov. Decree final

Plffs Costs

Hyatt C. 6.37

S. 1.50

cf 15.00

Comm 25.00

46.87

Defts C. .65

\$ 47.52

Cost of Depo

Comm 8.00

Wit 3.00

\$ 11.00

Defts cost of Depo

Comm \$2.50

Wit 1.00

3.50

Plffs cost

Hyatt C. 16.37

Sheriff .50

A 15.00

Comm 15.00

\$ 46.87

Defts Costs

C. .65

A 15.00

\$ 15.65

Plffs cost

Cost of Depo

Comm. \$8.00

Wit 3.00

\$ 11.00

Defts cost of Depo

Comm. 2.50

Wit 1.00

\$ 3.50



To the Honorable John H. Kelly  
Judge of the Circuit Court  
of Lee county Va

John E Rasnick, defendant to a  
bill in Chancery, exhibited in this  
honorable Court by Hiram Gobble  
and Mary A, his wife, and Martha  
J McBracken plaintiffs, comes and  
says:

That on the      day of      188  
Elizabeth Rasnick conveyed all of her life  
interest in a portion of land conveyed to  
your respondent by Jacob Rasnick now  
deceased, so that your respondent now  
holds, and since said conveyance, <sup>from Elizabeth Rasnick</sup> held  
the fee simple in "40 acres of land off  
the west end and joining his land,  
running parallel with the west line"  
as per deed ~~from~~ Jacob Rasnick, a  
copy of which is filed by the plaintiffs  
in this case, marked "A."

Your respondent denies endeavoring  
to partition the lands conveyed to himself  
and your complainants, as per deed last a-  
foresaid, by himself alone, or that he  
claimed the right to do so. But an-  
swering says, that he contracted with  
the plaintiffs Mary A Gobble and her



husband and also with Elizabeth Rasmick aforesaid, and they agreed with your respondent, to lay off the 40 acres conveyed to your respondent as per deed aforesaid, according to the stipulations of said deed.

And your respondent says, that by virtue of said agreement, your respondent procured the services of one Ira Screech a competent surveyor, and the said surveyor, in presence of said Hiram Goble and your respondent surveyed and laid off 40 acres of the west end of the tract conveyed by Jacob Rasmick, as aforesaid, "running parallel with the west line".

And your respondent says that the plaintiffs, Hiram Goble and Mary, A his wife, acquiesced in ~~in~~ said partition, and agreed to pay rent to your respondent for all of said portion of 40 acres so laid off, for the year 1881, and so tendered and paid the rent aforesaid according <sup>to</sup> agreement on all of said portion which Hiram Goble cultivated for the year 1881.

Now your respondent is advised, that



the plaintiffs are by their said contract and by said partition being made and accepted with your respondent, estopped from the prosecution of this suit.

Your respondent denies that the plaintiffs ever planted any orchard on said lot of 40 acres laid off by said Sercech or that there is now any dwelling house ~~on~~ said lot or portion so laid off, which was standing on said lot or portion at the time of said conveyance from Jacob Rasmick, and no other <sup>which was then standing</sup> buildings, except a small kitchen and two small stables.

Your respondent says that he knows where the west line is, and that it does not run to the top of Wallin's ridge, and that a line running parallel therewith, giving your respondent his 40 acres, will inclose the small kitchen and stables referred to, and a small cabin that said Hiram Gobble lives in, which was built since the aforesaid conveyance from Jacob Rasmick.

And now having fully answered your respondent prays to be hence dismissed.

John E. Rasmick  
By H. C. Mowess C2



Virginia Lee County to wit.

This day John E. Rasnick  
personally appeared before me &  
made oath that the facts stated  
in the foregoing answer are true  
so far as they depend upon his own  
knowledge, and so far as they depend  
upon information as obtained <sup>from others</sup> he  
believes them to be true. Given under  
my hand this 29<sup>th</sup> March 1882—

J. A. Hyatt Clerk

John E. Rasnick

answ

Answer

Answer

Answer

Filed March 29<sup>th</sup> 1882

J. A. Hyatt  
Clerk



To the Hon. John A. Kelly Judge of  
the Circuit of Lee County Va.

The Joint Answer of Hiram Gobble and  
Mary Gobble his wife, to a bill filed in  
this Hon Court against them by John  
Rasnick

Respondents have no reason to urge  
against the partition of such lands as are  
mentioned in the bill and are held by the  
heirs of Jacob Rasnick deceased - But  
they deny that the 4 acre lot is such land,  
but upon the contrary was deed to said  
Jacob Rasnick by Mary Handy, and the  
said Jacob before his death deeded all the  
Mary Handy tract to your female respondent  
and hence belongs to her in her own right  
and by virtue of her deed; and hence  
not liable to partition, but should be  
laid off to your female respondent.

Your respondents, do not resist as  
above stated the other land mentioned in  
the bill, but they do resist a sale thereof  
so far only as their interest is concerned -

They own adjoining lands and their  
shares can be so laid off as not to  
impair the sale, of others, and they desire  
it so done adjoining their other lands, and  
pray that their interests be so laid off and  
not sold.



Respondents would further state that they are the owners of their  $\frac{1}{11}$  of said tract sought to be partitioned in their own right and by purchase they own the shares of J. J. Rasnick and Kittie Grindstaff; and while your respondents ~~have~~ <sup>have</sup> not yet a deed for those shares they have the written contract of J. J. Rasnick for the same, and he is or was the owner of both ~~before~~ <sup>having</sup> Mrs Grindstaff sold to him - They thus own  $\frac{3}{11}$  of said undivided land, and as above pray that the same be laid off to them adjoining their other lands. They also pray that the same price be first assigned them by virtue of their deed, and thus exempt from further claim of their co-heirs. And having now fully answered they pray to be dismissed with their costs.

A-L Prelimin  
for depts.  
H. Cobble & wife.

Virginia L. County to wit.

This day Hiram Cobble personally appeared before me and made oath and due sworn that the facts stated in the foregoing answer, so far as they depend upon his own knowledge is true, and so far as they depend upon knowledge as derived from others he believes them to be true. Given under my hand this  
29<sup>th</sup> March 1885.

J. H. Spatt Clerk



TP  
Hiram Goble & wife

Ad. J. Snower.

John Kasmick

---

Filed in open court  
by permission thereof,  
March 23<sup>rd</sup> 1883.

W. C. H. H. H. H. H.

Attest







Walling ridge, to 8, to 7, to 6, to 5, and thence  
 with the red line to A. the Beginning; and that  
 the line on said plot, A. B. C. D. shall  
 be established and confirmed as the true division  
 line between the plffs and defendants, of  
 the land in dispute - And that the plff  
 recover from the defendant one half the  
 Costs of this suit, <sup>to be taxed by the clerk.</sup> except that the plffs  
 shall pay the Costs of all depositions taken  
 by them, and the defendant shall pay the  
 Costs of the depositions taken by him -  
 And no further action being necessary the  
 Cause is stricken from the docket.

Henry Gableman

213 Dec 1

Final

John E. Casarich

Dec. 1. 1882

Entered, pages

298-9.

J. A. Whitt

Clerk

Enter this

Dec. 3 1882

J. A. Whitt



Hiram Gobblerwife ... Plff.

Against

John E. Rasnick ... Def.

} Inches

This cause came on this day to be heard upon the ~~papers~~ bill of the plff. the exhibits filed the answer of the defendant and replication thereto and the argument of Counsel on consideration whereof, and for reasons appearing the court it is adjudged ordered & decreed that John A. G. Hyatt, who is appointed for the purpose will ascertain and report to this <sup>court</sup> the true boundary of the plff. and defendant, line at or near what is claimed to be the western line, whether or not, such line was ever made by Jacob Rasnick deceased, and whether or not the lands of the defendant can be so laid off as not to interfere with the plff. And whether or not the plff. have title to the land whereon they reside and the best made in accordance with the deed of Jacob Rasnick, deed to lay off the same, so as to give to the plff. the House wherein he now resides, \* and making the partition

and whether or not the plaintiff is entitled to the survey and partition of said land as surveyed and laid off by John Rasnick deceased since the death of the said







Virginia At a circuit Court Continued and held  
for Lee County at the Court house thereof  
on Friday September 1<sup>st</sup> 1882.

Abraham Goble & wife

Plffs

vs

John E. Casnick

Defts

On consideration whereof, and  
for reasons appearing to the Court, it is adjudged  
ordered and decreed, that John E. Hyatt who is  
appointed a Commissioner for the purpose, will  
ascertain and report to this Court the true  
boundary of the Plaintiffs and Defendants  
lines, at or near what is claimed to be the  
Western line; whether or not the lands of the  
defendant can be so laid off as not to interfere  
with the Plaintiffs; and whether or not the  
Plaintiffs have title to the land whereon they  
reside, and the best mode in accordance with  
the deed of Jacob Casnick and to lay off the  
same, so as to give to the Plaintiffs the house  
wherein they reside; and whether or not the  
Plaintiffs consent to the survey and partition  
of said land as surveyed and laid off by  
David Casnick under direction of the defendant,  
and in making the partition aforesaid  
he will associate with him E. M. Casnick  
his brother, who are empowered as aforesaid  
are for the purpose of ascertaining said lines and  
partition, to act jointly with David Hyatt.

The said Court, Hyatt, will receive the testimony  
of each party to writing, report all facts deemed  
necessary by himself or required by either party  
and said Commissioners will report their



replies to this Court at some future  
term and the Cause is continued.

A Copy Left -

J. A. S. Hyatt Clerk

From Littlepage

12718  
Copy of Books

John C. Caswell

To the two terms of Court.



1<sup>st</sup>

Before Commissioners, Novr. 17<sup>th</sup> 1882

Winnam Gobble & wife, Defts

vs

In Equity

John E. Rasmick, Defts

The depositions of Elizabeth Rasmick, Elkanah Lempleton, Jacob<sup>B</sup> Rasmick, Jacob B. Rasmick, John E. Rasmick & others

taken on the 17<sup>th</sup> day of November 1882 at the time of ascertaining certain facts in the above styled suit which are intended to be read as evidence in favor of the Plaintiffs, and also the Defts.

Elizabeth Rasmick a witness of lawful age being first duly sworn Says -

I remember the fact, that my husband Jacob Rasmick, and John E. Rasmick my sons made a division line between certain lands which they owned, commencing at a certain rock corner and running to the top of Wallens Ridge passing through



lands known as the McElroy, Camp  
place & John E. Rasnick's land  
which he <sup>John E. Rasnick</sup> purchased from John  
Handy - and my husband  
often informed me that John E.  
Rasnick was to have forty acres  
of land laid off to him parallel  
with this line which he always  
called his western line, and  
the balance of the land he owned  
East of the line of John E. Rasnick's  
forty acres, was to be divided  
between Mary A. Bobble and  
Martha J. Roe, Mary A. Bobble  
to have the place where she then  
~~and now~~ lived ~~at that time~~.

~~Exception~~ is taken to all  
evidence in the foregoing  
statements, to prove any sale  
or exchange of lands, between  
Jacob Rasnick and John  
E. Rasnick H. S. Thomas



Question 2 - by Plffs

Did John E. Rasnick and your Husband Jacob Rasnick, swap or exchange any land by making this ~~land~~ division line above referred to?

Answer - They did, my understanding was that my Husband got about 20 acres off of the said John E. Rasnick Handy land, and that my Husband had given the said John E. Rasnick's other land therefor.

Exception is taken to the foregoing question and answer, as not being the kind of evidence required to prove a sale or exchange of lands

Atty General

Question By Plffs

Did your Husband Jacob Rasnick take possession of the land above



referred to as swapped for with the  
said John E. Rasmick, and how  
long has he had possession of  
the same, & those holding under him  
Answer - My husband did  
take possession of the said  
20 acres of land so swapped,  
for <sup>bounded by the said West line.</sup> and held said possession  
untill his death which was  
about 20 years.

~~Crasser assumed by Defts Counsel~~  
In by same Did your husband clear  
any of said 20 acres of land  
you speak of?

Answer He did not clear any of said  
land or have any cleared, but  
he had boards made & got timber  
off of said land.

In by same Do you know of your own  
knowledge that your husband  
ever exercised any acts of own -



ership over said 20 acres of land you speak of?

Ans I know he took possession of the said land.

In by same Please state how you know he your husband took possession of said land?

Ans I know by his telling me that he was having boards made on said land.

In by same Was the division line you speak of, made by your husband and your son John & the only line that was to govern the dividing line between John & Rasnick and Mary & Cobble?

Ans That is what my husband said. John's line was to run parallel with this line.

Question by Plaintiffs -

Did John & Rasnick have his



40 Acres of land laid off, to him  
by agreement with Mary & Gobble  
& husband?

Ans - He had no agreement with them as  
I knew of, he John told me he  
was going to have it laid off  
and asked me to tell Gobble  
& wife of the same, & I asked him  
to talk to them himself, and he  
said he would not, and for me  
to talk to them myself, and that  
he aimed to have it laid off to  
suit himself. & according to the paper.  
And further this witness says it not.

Elizabeth <sup>Ther</sup> X <sup>Martha</sup> Ramsey

Elkanah Templeton an other witness  
of lawful age being duly sworn  
deposes and says -

Question By Plffs -

Did James Gobble and Mary A



his wife agree with John E. Rasnick  
to have certain lands partitioned  
between them by one Ira Creech.

Ans They did not.

Question Did Mr. Gobble or his wife assent  
in any way to such survey. Was  
either of them with said surveying  
party.

Ans They did not agree to the survey  
made by Mr. Creech, and were not  
with said surveying party. I  
heard Mary A. Gobble say to John  
E. Rasnick at the time of said sur-  
veying that if he could not go  
and survey the land as it ought  
to be surveyed, that he could  
let it alone.

Question Did you ever hear one Jacob  
Rasnick tell or point out to  
Hiram Gobble a certain division  
line between said Jacob Rasnick



+ John E. Rasnick known as  
Jacob Rasnick's western line  
if so how was the same pointed  
out + where?

Ans I did, and saw Mr. Jacob Rasnick  
point out the line to Mr. Goble from  
a certain rock corner, thence a west  
course to the top Wallens Ridge.

Objection is made to the fore-  
going question + answer, as  
to the proof of title to lands

Question Did Mr. Goble, ~~Albion~~ <sup>Albion</sup> ~~Manner~~  
by corner

or Jacob Rasnick occupy or have  
possession of the land east of said  
western line spoken of?

Ans I know that they <sup>+ used</sup> occupied said  
land as they wanted to, but I  
don't know where the line is  
towards the top of the ridge.

And further this document says the not  
Elkman <sup>R. S. P.</sup> ~~X~~ Lemplatan  
man



Jacob B. Rasnick an other witness of lawful age being duly sworn says -

Question Do you know whether or not Jacob Rasnick, and John E. Rasnick ever established a division line between their lands? ~~known as~~  
 the if so, how long ago, and how has ownership been exercised by said parties?

Ans Of my own knowledge I don't know that they ever made a division line, but both the parties have told me they had such a line between them and I have saw marked timber where said line was said to have been, as far <sup>as</sup> a sourwood & Chestnut corner, which I have seen, which is by the fence of a field, and is between  $\frac{1}{4}$  or  $\frac{1}{2}$  mile from the top of Wilkes Ridge



the parties informed <sup>me</sup> that the intention of the line was to follow the top of the spur, which has been 12 or 15 years ago.

My Father has exercised ownership on the West side of said line & my Grand Father or Mr Gobble on the East side of said line as far up as said <sup>boundary or corner</sup> corner -

My Father had a house built on the West side of said Spur above said corner, but I never knew of him exercising any ownership on the East side of said Spur above said corner.

Question by Plaintiff

Do you know or have you ever understood that your Father & Grand Father ever made a land exchange in which your Grand Father Jacob Bassett



obtained a portion of land from  
your Father John E. Rasmick on  
the side of the Ridge on the East  
end of your Father's Handy land  
or Braiser survey?

Ans I have heard it said that they  
swaped some land, and that  
my Father let my Grand Father  
have some land on the Ridge on  
the East end of said Handy land  
and that my Father received  
some land where he now  
lives.

Exception is taken to the last  
question and answer, as  
not being the kind of proof  
required of title to, or sale or  
exchange of real estate

A. C. Dumas

Question And further the deponent says that  
Jacob B. Rasmick



J. E. Rasnick an other witness  
of lawful age being duly sworn  
deposes and says —

Question By Plff

Did you and your Father  
Jacob Rasnick ever swap any  
lands in which your Father  
obtained a boundary of land  
off of the East end of your  
land known as the John  
Handy Land, and did  
you and your Father make  
a division <sup>line</sup> between your lands  
so as to run from your North  
Campbell line to the top of  
Walleys Ridge

Ans We talked of swapping, we  
never completed it, the trade  
was recanted, our division  
line was not made by us fur-  
ther than the Sourwood + Chestnut



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corner, on <sup>my</sup> ~~the~~ south Handy line,  
Question Did you and your Father  
establish & make the said Sycamore  
& Chestnut corner?

Ans We did.

And further this witness sayeth not

John E Rasnick

James Harrison an other witness of  
lawful age being duly sworn says

Question By Pff -

Do you know any thing of a  
land exchange between John E  
Rasnick & Jacob Rasnick his father  
and whether or not they ever estab-  
lished a line between their said  
lands?

Ans I do not know of my own know-  
ledge, about the exchange -  
John E Rasnick on one occa-  
sion informed me that he had  
a piece of land on the East end of  
his Handy land he would let me go in  
and live



# What Jacob B. Rasmick  
told Hannan is not  
evidence and is objected  
to by Defendants,  
Mann & Brunson  
#

and Jacob Rasmick his son told me that  
his father had let his, Grand  
let his father have some land  
up there. I don't know that  
they did, <sup>established line</sup> but John C. Rasmick  
has informed me that the line  
between him and his father com-  
menced at a rock corner and ran  
as I understood him in a straight  
line to the top of the Ridge but  
he did not say that it ran to the  
top of Mullens Ridge, nor he did  
say that it did, but simply that  
it ran to the top of the Ridge,

Cross examined by J. C. Counsel  
In by same Did Mary A. Gobble wife  
of Hiram Gobble, come to you  
to get you to go on the land  
in controversy and carry a chain  
for Ira Brown to make a  
survey of so state what she  
said on that occasion?

Ans She did and my understanding  
was the line to be run was between  
her + Martha J. Ave. as she so in-  
formed me.



She said that her and John E  
Rasmick was on a land swap  
& that he had agreed to swap  
her the house <sup>& land orchard &c</sup> where in she lived  
& now lives. & he was to take a  
piece on the Ridge, & she thought

that would settle their difference.  
but there was no running done at the occasion.  
July same. Did you hear Hiram Cob-  
ble say any thing about John  
E Rasmick being good to him  
and giving him (Cobble) a  
part of the rent that he owed  
him (Rasmick).

Ans I heard Mr Cobble say that  
John E Rasmick had been good  
to him & had not charged him any rent  
on the Millet & oats, & that he  
had paid said Rasmick 3 of the  
corn on the upper field.

July same. Was the house in which  
Hiram Cobble & Mary & Cobble



now lives built since the death of Jacob Rasmus?

Ans The best of my recollection is it was.

~~Question~~ And further this deponent says that  
not - James B. <sup>the</sup> L. Harmon  
Morse

J. J. Rasmus an other witness of lawful age being duly sworn deposes and says -

Question By Defts

Do you know any thing about the western line of Jacob Rasmus bordering on John E. Rasmus's land, whether it was ever agreed on or established by said Rasmus's or not.

Ans I heard my Father say that the line between him & John E. Rasmus commenced at a certain rock corner and



thence ~~run~~ up the dividing  
 Bridge, he did not say how  
 far up it went. I have seen  
 a marked line very nearly running  
 with <sup>said dividing bridge</sup> to the top of Wallers Ridge where appears  
 a corner, but I know nothing  
 about who marked said line.

Question Did Mrs Gobble or her husband  
 assent or agree to the Survey  
 of John & Rasnick's made by  
 one Ira Oruch!—

Ans I don't think they did. They did  
 not in my presence but objected  
 to the same.

And further this witness saith not.

J J Rasnick

W. J. Glass another witness of law-  
 ful age being duly sworn says—

Question Do you know whether Hiram Gobble  
 & his wife Mary A. Gobble, agreed to



or assented to the Survey as made  
by one Ira Creech in dividing lands  
between them & John E. Rasnie?

Answer I never heard Mr. Gobble say but  
little about the matter, but his wife  
aunt Mary objected and stated  
she would law away the last  
thing she had before it should  
stand as the surveyors ordered  
the land. they neither went along  
or attended the surveying. Mr.  
Gobble was with the party at  
the stable a short time.

Examiners by Edw. Counsel  
2 by same Did Hiram Gobble pay John  
E. Rasnie any rent for the  
land laid off by Ira Creech  
since Creech made the survey?

Answer He did.

Examiners

Where did the rent grow



and what amount.

Answer It grew on the land that Creech laid off, and grew near the Western line of the same. I won't say exactly what there was but I believe it was 13 or 16 bushels -

I by sworn And Was the house that Harmon Goble now lives in built since the death of Jacob Rasnick?

Answer I think that it was.

And further the deponent says that  
W. J. Glass.

Harmon Goble another witness of lawful age being duly sworn deposes & says.

Objection is made by Plff. to this witness Harmon Goble as being inadmissible  
H. D. M. M. M.



Question by Cliff. Tell us all you know about  
the case at issue. I suppose that we have  
lived here about 11 or 12 years, & concern-  
ing this conditional line I know  
nothing about, only what the parties  
John B. Rasmick & Jacob <sup>Rasmick</sup> ~~has~~ <sup>has said</sup>  
told me about it. I asked my father  
in law Jacob Rasmick to show me  
his line that I would know where  
to work to, we did not go around the  
entire line, he described these lines to  
me telling me how they run, he  
said that the line between him & L.  
B. Rasmick commenced at a rock  
corner on a ridge, running straight  
to the top of Wallens Ridge, that  
him & John Rasmick had surveyed  
lands & made this a conditional  
line between them, that he had given  
him land where he now lives for  
what land <sup>was</sup> East of said line,



21

~~he said~~ he told me that all west  
of that line was J. E. Rasnick's <sup>land</sup> & all  
East of that line was his land,  
& rented me to that Conditional  
line and told me to clear to it  
and use all the land in any way  
that I pleased, he also told me  
that I could cut tan bark timber  
in a field and that I could go  
out side of said field & cut as much  
as I pleased anywhere between said  
field and the top of Wollens ridge.  
I have never heard any claim laid  
to the land, since I have lived  
here till the running done by  
Creek, out side of my father in law  
Jacob Rasnick & John E. Rasnick  
also told me that said Conditional  
commenced at the rock corner &  
runs through here, showing me  
the marked trees, and runs straight

Q



through to the top of the ridge for  
says he and Dad has surveyed  
land, and all on your side of the  
line is <sup>mine</sup> ~~his~~ and all on this side is  
~~mine~~ his, that is all the land on  
the East side was Jacob Rasmick's +  
all on the west side of this line was  
John B. Rasmick's. I had no notice  
of the survey made by Creech except  
by my mother in law & ~~she~~ did not  
consider her a legal one to notice me,  
and never consented to said running  
but we had agreed to set a time and  
run it, but that time never was set.  
I have paid no rent to John B. Ras-  
mick except the rent on a small piece  
of land next to this line, which I  
considered would fall inside of the  
40 acres to be laid off to him, said  
rent was about 13 or 16 bushels of  
corn. My wife Mary Lobble said



that she would spend ~~about~~ every  
year on the land before she  
would consent to the ~~land~~ <sup>it as</sup> laid off  
by Ouch. We put out I expect  
100 fruit trees, peach trees & apple trees  
and on a different side of the fence from  
the old Orchard. My father in law  
told me now I have decided you  
the land go on and build you a  
house, I built this house I now  
reside in about 10 feet ~~that~~ <sup>to</sup> a little  
south west of where the old house ~~was~~  
the kitchen & all the out buildings  
remain in the same place as where  
my father in law decided was the land.  
Cross examined by Deft Counsel  
I say Who was present when  
John E. Rasmick showed you  
the dividing line, and told  
you what you say he did  
about it?  
Ans He find that man if necessary.



Q by same Do you object to giving his name?

Answer Well, Sir if I need his <sup>evidence</sup> name I can give <sup>his name</sup> ~~it~~ but I do not know that it is necessary

Q by same Did you not propose to pay John E Rasnick the rent of the oats that you made on the land in controversy since the survey made by Greesh?

Ans I did not.

Q by same What kind of acts of ownership did you exercised over the land claimed by J. E. Rasnick?

Ans I went on it & got what I wanted, that is any kind of timber I desired, I went and out unmolested by any body or forbid. I also made for Jacob Rasnick about 3000. boards on said land



Q by 4572 Did not Jacob Rasmick  
generally use timber on  
John E. Rasmick's land when he  
desired without being molest-  
ed or forbidden?

Ans - He did at certain places but  
not upon this place that I knew  
of.

Q by same - Are you the Husband of  
Mary E. Gobble

Ans - I suppose I am

Re Examined by Mary A. Gobble one of Plffs  
Question Did you or any one else give  
John E. Rasmick any possession  
East of the division line as established  
between him and Jacob Rasmick  
since the Survey made by Creech.

Answer - I never nor no one else did,  
but to the contrary, Mary A. Gobble  
notified said John E. Rasmick not  
to come upon said lands in any  
way, to cut bushes or move fences  
or do any other work until legally  
surveyed.

Q by 4580 - Did John E. Rasmick rent the  
field you cultivated in corn in



Ans

1880 to Sam Wilson, to sow  
in oats the present year 1882?  
I do not know whether he  
did or not.

And further this deponent sayeth not

Hiram Bogle  
The further taking of Deposition  
in this cause is adjourned till  
tomorrow morning Nov 18 1882  
at 8 o'clock A.M.

J. A. Hyatt Clerk

Met pursuant to adjourn-  
ment This 18th day of Nov  
1882.

Present the plaintiffs and  
defendants

The depositions of witness-  
es taken on behalf of the  
defendant in the above  
cause this 18th day of Nov  
1882.

Ira Creech, a witness of  
lawful age after being duly  
sworn, deposes and saith  
as follows:

I, J. A. Hyatt, Did you make a sur-  
vey for John E. Rasnie



about the month of July 1881,  
of 40 acres of land off of  
the west end of a tract of  
land, deeded from Jacob  
Rasmie to said John E  
Rasmie <sup>and others</sup> of sd State by  
what papers you surveyed  
and please state all you  
know about it?

Ans - I made a survey of 40 acres  
for him about the 29<sup>th</sup> of July 1881,  
Beginning at a large water oak  
said to be in a line of the Allen  
land, & with same S 75° W 19 poles  
to a stone in Crabtree line, thence  
with the S. E. line of a survey of 40  
made in the name of Jacob Rasmie  
& 21 west 72 poles to a stake in said  
Rasmie's line & with the same S  
75° W to a Sassafras (now down)  
These last lines were run by the  
Patent to Jacob Rasmie of the 40 acre  
survey, ~~thence~~ <sup>now down</sup> Sassafras, being the  
corner of a 50 acre survey made in  
the name of Abraham Loyd, thence  
S 75° W 43 poles & 7 links to a stake  
in a conditional line of Jacob &  
John E Rasmie's land.



and with the same  $N 27^{\circ} 35' W$  69  
poles to a Chestnut & Double sour wood  
thence  $N 51^{\circ} E$  52 poles & 17 links to  
a double maple,  $N 20^{\circ} W$  80 poles  
to a double Chestnut east on the  
top of Wallens Ridge, thence  $S 27^{\circ}$   
 $35' E$  221 poles to the beginning.

By same

Please state if Hiram  
Gobble and Mary A Gobble  
his wife were present at any  
time, during the time you  
were engaged in making  
said survey, and if they  
or either of them objected  
the making of said sur-  
vey?

Ans

I do not know that they made  
any objection, Mr Gobble was  
present when we was hunting for  
a corner, I saw his wife at her  
house.

By the

Did Hiram Gobble & Mary  
A Gobble or either of them send  
for you to divide the remainder  
of the said tract of land be-  
tween her (Mary A Gobble) and  
Martha J Mcbracken, if so.



state what Mr Gobble & his wife said.

Ans

Mrs Gobble sent for and requested me on one occasion to come and make a survey for her, but from some cause unknown to me she did not have any surveying done, I can not remember or say what land she wanted surveyed or for what purpose, which was some time after I had made the Survey before stated for John C. Rasnick.

Cross Examined by Plffs -

Question

Do you not remember that Hiram Gobble came to you at the time you made the survey for the said John C. Rasnick, and made the inquiry of said Rasnick whether he had the legal surveyor or not?

Ans

I do remember that Mr Gobble asked that question

Question

Did you hear said Gobble tell said Rasnick that said survey was then said Rasnick & not Mr Gobble?

Ans

I think he <sup>said</sup> something to that amount



Question Did Hiram Gobble or his wife Mary A Gobble employ, <sup>you</sup> or assist to you making said survey for John E Rasmussen?

Ans - They did not hire me - nor did they object or agree for said survey to be made so far as I know.

And further this deponent saith not,  
Wm Greck

Peter Lombard a witness of lawful age, after being duly sworn, deposes and says.

2 by Atty Do you know who planted the orchard where Hiram Gobble lives, if so, state who did it?

Ans - An old negro, by <sup>name</sup> of Jeff, John Tinslin, and Hiram Gobble planted out said orchard.

Cross Examined by Plffs

Question 1st For what length of time have you known Mary A. Gobble & her husband to live on the land where on she now resides, and by what name has the said place been called



Ans

She & her husbands have lived where she now resides for about 20 years, and the place has been known as the Handy farm.

Question

Do you know whether John E. Rasnick & Jacob Rasnick ever established a division line between their lands, if so where did it begin & end?

Ans.

They both told me they had made a line between each other, commencing at a rock on a ridge and running up a spur to the top of Wallens Bridge.

Question

Did you understand from them by this division line that the said Jacob Rasnick had obtained any portion of land from the said John E. Rasnick on what was known as the said John E. Rasnick's Handy land,

Ans

They never told me any thing about their lands only to show me their division line.

And further this witness says that

How far Peter & Lambert  
ridge do this line mark



The foregoing depositions were taken before me at the times & places stated in the captions, & for the purposes therein stated. Subscribed to by, and sworn by said witnesses before me, on the days and at the place before stated, given under my hand this Nov. 20 1882

J. H. Hyde Comr

James Collins & wife  
 Wm. Deft. for trial  
 John C. Pasnick

Attest Nov 20 1882  
 J. H. Hyde att  
 J. C. Pasnick

Deft's costs  
 Comr. 1.00  
 At 1.00  
 \$2.00

Deft's costs & wife  
 Comr. for Deft. \$4.00  
 & witnesses 3.00  
 \$7.00

The within report is accepted by it  
 & by the court the location line is  
 shown to run to the top of its water  
 should have been accepted by the court



Hiram Loblovitz vs. Piffs

vs

(In Equity,  
John E. Rosnick vs.)

Pursuant to a decree rendered at the August Term 1882 of the Circuit Court in the above styled case, We the undersigned Com-  
missioners, as appointed and directed in said decree, went upon the land mentioned therein, on the 1<sup>st</sup> day of November 1882, and proceeded, after taking the depositions of witnesses for the Plaintiffs & Defendant, which are herewith filed, to lay off and partition said land according to the following report and plat. Beginning for the Plaintiffs at <sup>3</sup> a Rock corner, described in the depositions accompanying this report, and admitted by both parties to be the Southern extremity of the division line, made between



John E. & Jacob Kasnick, thence with  
said line N 27° W 46 poles, passing  
through a certain piece of land known  
as M<sup>c</sup>Elroy land, (which division  
so far as the M<sup>c</sup>Elroy land extended  
gave Jacob Kasnick about 9 acres,  
which he failed to dispose of in  
his deed to Pff + Deft, included  
on plat by L - 5 - E. G.) to 5. The  
southern line of what is known  
as the Cambell land, thence continuing  
said line through the said Cambell  
land 71 poles to C, a chestnut and  
double saw wood, on the southern  
line of John E. Kasnick land,  
known as his John Hundy land,  
up to which point said line  
from L to C was agreed upon  
& admitted by both parties, thence  
continuing said line to M a Hickory  
& Black oak marked as a corner on



the top of Wallens Ridge, said line  
was well defined by marked timber  
appearing to be the same date, from  
the Rock L. to M the top of the  
said Ridge, we further surveyed  
C. beginning at C thence with  
the Calls of the John Hardy deed  
N 53° E 54 poles to (7) a double Maple  
said tree was marked with old  
marks as a corner tree, thence  
N 20° W. 78 poles to (8) a double Chest  
nut Oak on the top of Wallens  
Ridge. This line from C to 7  
to 8, the defendant claims  
to be his Eastern boundary  
& the plaintiffs Western boundary  
line. It seems from the depositions  
of Elizabeth Rasnick, Minnie Lobb  
and Peter Lambert, herewith filed  
that the line L. M. passing through  
the John Hardy survey was  
made.

(over)



by Jacob Rasmick deceased and  
John E. Rasmick, and was recognized  
by them as their true division line.

If this line in the opinion of the  
Court is sufficiently established, then  
the following courses in order to  
give John E. Rasmick the 40 acres  
deeded to him by his Father, should  
be observed, viz, Beginning at 5  
a stake on said division line  
& on the Campbell line, thence  
with said division line  $N 27^{\circ} W$   
160 poles to M a Hickory & black  
oak marked as a corner on  
top of said Ridge, thence with  
the top thereof  $N 61^{\circ} E$  40 poles to  
a stake, thence parallel with  
the division <sup>line</sup> M. L.  $S 27^{\circ} E$  about  
160 poles to the Campbell line  
& with the same  $S 75^{\circ} W$  about  
40 poles to 5 rods to include



(5)

40 Acres. And should this line appear not to be sufficiently established then the true boundary of Jacob - Rasnick's western line between the Campbell & Mary Handy land according to the title <sup>papers</sup> shown us, after his deed to John E. Rasnick of the Campbell land west of the line 5-6, would be as follows. Beginning at 5 - a stake on the southern line of the Campbell land, thence N 27° W. 71 poles to (4) a chestnut & double sourwood, thence N 53° E 64 poles to (7) a double maple on the Crabtree line, N 20° W. 78 poles to a double chestnut oak on top of Wallers Ridge. & which line from 5 to 6 to 7 & 8. We the Commissioners consider the western line of Jacob, Rasnick's Campbell & Handy land & should be the governing line in the partition, and not the section 5 to 6 as claimed by the defendant.



Then in this case, the following courses, in order to give John E. Rasnick the 40 acres decided to him by his Father Jacob Rasnick should be observed viz Beginning at 5. Thence with the line of the Campbell land N 75° E 32½ poles to (A) a stake, thence parallel with the division line 5-6, N 27° W. 51 poles to "B", a stake, thence parallel with 6-7 N 53° E 54 poles to (C) a stake, thence parallel with 7-8 N 20° W. 108 poles to (D) thence with the top of the bridge to & the double Chestnut oak, thence with 8-7-6-5 to the beginning.

The defendants 40 acres of land can be laid off by either of these partitions without interfering with the lands or premises as set forth in the deed of Jacob Rasnick to Plaintiffs.



6  
Use then by direction of the Court,  
surveyed the boundary heretofore  
laid off by one Ira Loomis as  
referred to by him in his deposi-  
tion accompanying this report, and  
laid down on plat, Beginning  
at 1 to 2, 3, 4, 5, 6, 7 + 8, thence  
S 27° E. to the beginning, which sur-  
vey includes Hiram Gobbles house  
& contains  $30\frac{1}{2}$  acres, in order to  
obtain 40 acres said line would  
have to be moved  $3\frac{1}{4}$  poles further  
East than the aforesaid line 8-1 as run  
by Loomis, - the Plaintiff, from  
the evidence did not consent  
to <sup>the</sup> above described survey.

And the Commissioners  
arrived at the conclusion  
that such survey is not in ac-  
cordance, with the deed made  
by Jacob Ransom to Puffs & Co.



for the following reasons first  
that the Eastern line of said Survey  
is parallel only with the section  
5-6 of the Western boundary of  
the Campbell & Handy land, and  
not the entire boundary 5-6-7 & 8.  
as it should be, if the defen-  
dants title papers hold good East  
of the division line C. M. - Secondly  
because it includes the House, Spring  
Stable & Orchard of Mary A. and Wm.  
Hobbs, which is contrary to  
the stipulations of the deed from  
Jacob Kasnick to Mary A. Hobbs  
the wife of Wm. Hobbs.

The Plaintiffs Mary A. Hobbs & Martha J.  
Hae have title to the remainder of  
the Campbell & Handy <sup>land</sup> East of the  
line which may be established  
between the Plaintiffs & Deft,  
All of which is respectfully



submitted.

Cours. { J. A. S. Hyatt  
L. M. Lammie  
G. C. Duff

Cours fee

J. A. S. Hyatt - \$10.00

L. M. Lammie - \$10.00

G. C. Duff - 5.00  
\$25.00



Received of S. H. Hyatt Five  
 Dollars my fee as Counsel in the  
 within Cause against Phoenix  
 & while I was so doing have  
 got with said Hyatt his bill  
 for me, this March, 5<sup>th</sup> 1851.  
 L. W. Counsel

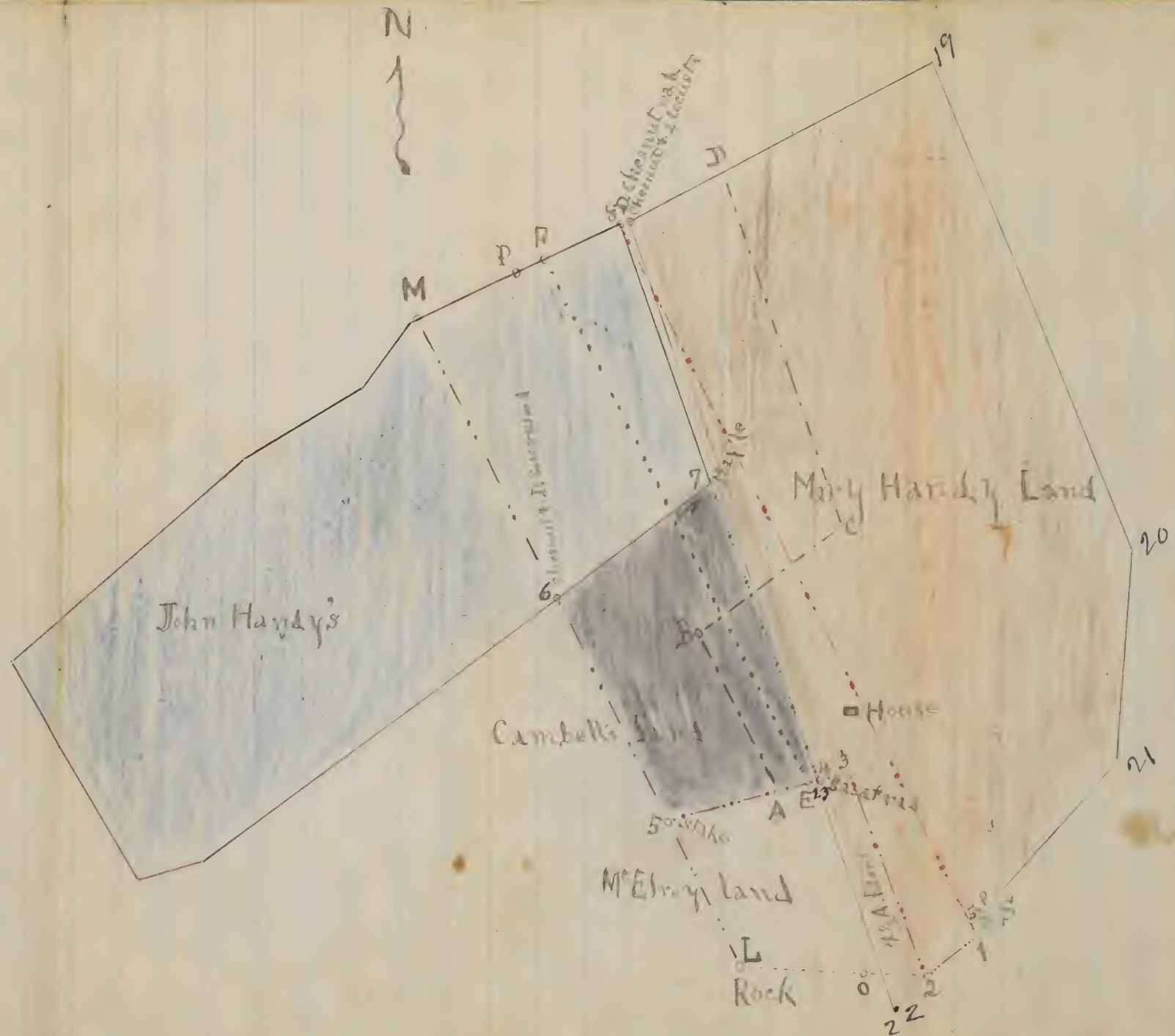
Wm. Noble & wife  
 243 1/2 Court Street  
 John C. Russell

Filed Nov 20/51  
 S. H. Hyatt  
 Clerk

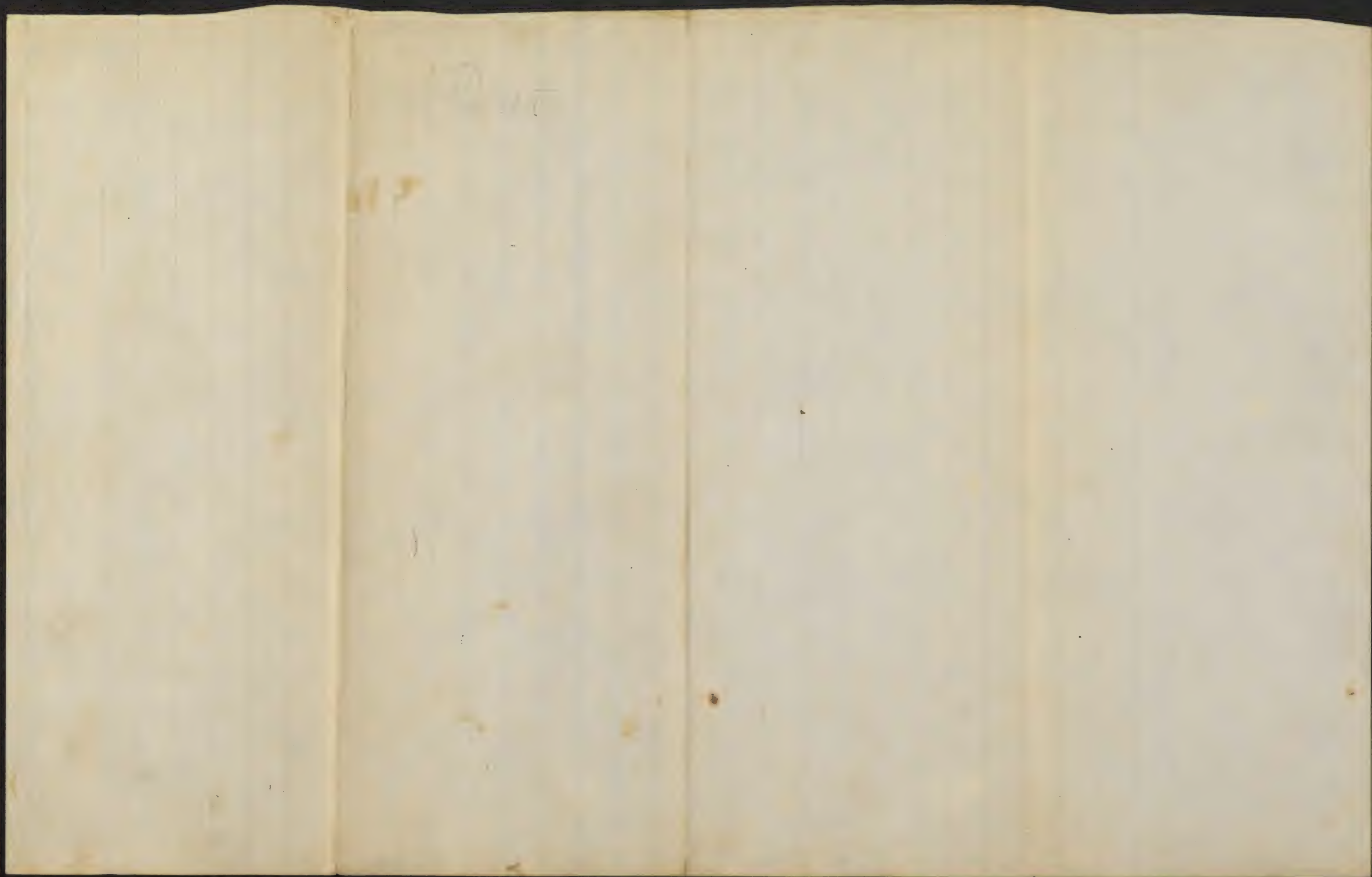
Hyatt	10.00
Trained	2.00
in Court	2.00
	<u>14.00</u>

Charges \$14.00











This Indenture made the twentyfourth day of October one thousand eight hundred and seventy eight, between Jacob Rasnick of the County of Lee and State of Virginia of the first part, and Elizabeth Rasnick of the same place of the second part, Witnesseth, that the said Jacob Rasnick for and in consideration of Elizabeth Rasnick, being an affectionate wife to me and one dollar duly paid before the delivery hereof, hath bargained and sold and by these presents doth grant and convey to the said party of the second part, all my personal property, consisting in one black mare, one milch cow, eight head of sheep, 10 head of hogs, and all household and Kitchen furniture, and farming implements and two tracts of land lying on the south side of Wallens Ridge, one deeded from Campbell and one from Handys two hundred acres more or less during her natural life at her death, then to John C. Rasnick forty acres of land off the west end and joining his land running parallel with the west line the balance of the land to be divided between Martha J. Roe and Mary A. Cobble Mary to have her portion where she now lives, by them paying to Nancy Glass



fifteen dollars and to Malinda Hamelton  
five dollars, at their deaths to go to their  
heirs, together with all and singular  
the tenements and appurtenances thereunto  
belonging, and the reversions, remainders, rents  
issues, and profits thereof, and all the Estate  
&c., title and interest of the said Jacob. Rasnick  
to the said property and premises or any  
part thereof, in witness whereof I have  
hereunto set my hand and seal this day  
and date first above written.

Jacob. Rasnick 

Virginia

County of Lee to wit. -

I Granville C. Duff a Justice of the Peace  
for the County aforesaid in the State of  
Virginia, do Certify that Jacob. Rasnick  
whose name is signed to the writing within  
bearing date on the 24<sup>th</sup> day of October 1878  
has acknowledged the same before me in  
my County aforesaid, Given under my hand  
this 24<sup>th</sup> day of October 1878.

Granville C. Duff J. P.

Virginia

Lee County, County Clerk's Office the  
30 day of Novr. 1878.

The foregoing Decd from Jacob Rasnick  
of the One part to Elizabeth Rasnick of the



part was this day admitted to record  
upon the Certificate of Granville L. Duff  
a Justice in and for the County and  
State aforesaid,

Teste R. H. Orr Jr. C. C.

A Copy Teste

J. A. Hyatt Clerk



Elizabeth Rasmick  
From <sup>3</sup> Copy of Deeds  
Jacob. Rasmick  
Recorded in Deeds Book  
No 18 - Page 355

Fee for Copy 60¢



at a large water tank in  
S<sup>W</sup> 1/4 19 poles to a stake in

arriving at a vessel  
 on morning line of  
 10/11/18 - 6/10 - in the  
 2nd Mr 72/10 at 10  
 10/11/18 8 1/2 miles from beginning  
 a line of the Allen land  
 said line







$$\begin{array}{r} 27 \\ 623 \\ \hline 1280 \\ 2403 \end{array}$$

$$\begin{array}{r} 25 \\ 205 \\ \hline 80 \\ 1036 \end{array}$$

$$\begin{array}{r} 55 \\ 111 \\ \hline 534 \\ 619 \end{array}$$

$$\begin{array}{r} 51 \\ 10 \\ \hline 301 \\ 5810 \end{array}$$

$$\begin{array}{r} 25 \\ 32 \\ \hline 61 \end{array}$$

Beginning at a Bassaf as (now down)  
 S 75- W 45- to a stake in the division  
 of John E & Jacob Rasmick & with the  
 same N 27- 35- 71 poles to a double  
 sourwood & Chestnut, marked as  
 a corner tree on the S. W. & etc.  
 Sourwood marked recently stence  
 same degree. 89 poles to top of ridge  
 to a Suckony marked as corners

Beginning at a Chestnut & Sourwood  
 N 57- E 52 1/2 poles 2 poles to the left of  
 a double maple.

32/10 through ...  
 100/100 ...  
 ...

...  
 ...  
 ...



A large, hand-drawn outline of the letter 'L' in purple ink, oriented vertically on a yellowed, aged page. The letter is composed of two main rectangular sections: a tall vertical stem on the right and a shorter horizontal base on the left. The lines are slightly irregular, suggesting a hand-drawn or stenciled origin. The paper is aged and yellowed, with some faint, illegible markings visible in the background.



Hiram Goble & wife

Plff

vs

3 Lechey,

John & Rasnick

Defts

The defendants except to the report of the commissioners J. A. G. Hyatt L. M. Carmichael, & G. C. Duff.

In this that said report and partition made by said commissioners is contrary to the evidence, both written and oral, filed in the cause.

The evidence shows that the line of partition shall run parallel with the partition line run by and between John & Rasnick and Jacob Rasnick. said partition line is shown to run from L. to C. and the partition line <sup>made by the commissioners</sup> should be parallel therewith ~~but~~ should run from 1. at or near S to 8 while in fact and truth said commissioners made the line run from L to S, ~~thence to 5~~ ~~thence to 10~~ to 10, to C to D, to 8 to 7 to 6 & to 5, to 4.

The true boundary of said land, is L M. & L to 2, and back to L.

Mauress, & Duncan.



John & Rasnick  
and  $\frac{4}{3}$  exceptions,  
Hiram Hobbs & wife



The Commonwealth of Virginia,

To the Sheriff of Lee County - - - Greeting:

We Command you to Summon

*John E. Rasnick.*

To appear at the Clerk's office of the Circuit Court of Lee, at the Court-House, on the first Monday in

*March*

next, being rule day to answer a bill in Chancery, exhibited in our said Court against

*him* by *Hiram Goble, Mary A.*

*Goble his wife and Martha J. McCracken formerly*  
*Martha J. Noe.*

And have then there this writ. Witness JOHN A. G. HYATT Clerk of our said court at the Court-House

this *25<sup>th</sup>* day of *February* 1882; in the *106* year of the Commonwealth.

*J. A. G. Hyatt*

CLERK.



Recd of Hiram Gobble wife by the hands of  
J. A. Hyatt 25 cents, their part of my fee in  
serving within Spa, this "day of Febry 1883.

(P)

Hiram Gobble wife et al  
vs <sup>and</sup> Spar in they  
John C. Rasnick

To March Rules 1882.  
Executed by deliv-  
ering a copy of  
the within for the  
month 4<sup>th</sup> 82

J. Milo J. S. for  
J. S. Ely